

Remarks/Arguments:

Objection to the claims.

Claims 5-8 are objected to as being dependent upon a rejected base claim. Claims 5 and 6 have been rewritten in independent form as suggested by the Examiner. Claims 7 and 8 depend from claim 5. Claims 5-8 should now be allowable as amended and reconsideration and withdrawal of the objection is respectfully requested.

Rejection of claims 1-4 and 9-14 are rejected under 35 U.S.C. §103(a)

Claims 1-4 and 9-14 stand rejected under 35 U.S.C. §103(a) as being unpatentable by United States Patent No. 6,552,660 hereinafter Lisowski in view of United States Patent Publication No. US 2003/184438 hereinafter Williams. For the following reasons, such rejection is respectfully traversed.

Claim 3 has been cancelled. Claim 4 has been amended to depend from claim 6 which has been indicated allowable as amended, and should, therefore, also be allowable. Claims 9-11 depend of independent claim 1 and should be allowable if amended claim 1 is allowed. Claims 14 and 15 depend from amended independent claim 13 and should be allowed if claim 13 is allowed. Claim 12 is an independent claim and has also been amended in a manner similar to the amendments made to claims 1 and 13.

It is Applicant's position that, in view of the amendments to the claims, when viewed as a whole, the cited art, whether taken alone or in combination, does not suggest the claimed structure, its properties or the problem the invention solves.

Lisowski, the primary reference, teaches the use of a flexible printed circuit for igniting a flexible smoke/dye marking pack contained in a flexible currency simulating pack. As Lisowski states the flexible pack may be ignited through a reed switch or contain an antenna for receiving an ignition signal.

Williams describes a sensor system for the protection of a safe or ATM. It involves the use of a flexible sensor (such as a piezo-electric sensor) to detect movement.

The present invention on the other hand, provides "... a wake-up circuit for use in a flexible security pack comprising an electronic activation system to switch the electronic activation system from a first, dormant state to a second, active state. The wake up circuit comprises a transducer sensitive to flexure of the security pack, for generating an output signal. The transducer is connected to an electrical switching circuit adapted to switch the electronic activation circuit from the first, dormant state to the second, active state." (Specification page 3 summary of the invention)

As further explained in the specification, in the prior art section, prior art security packs (including the Lisowski pack) almost invariably include primary electronic circuitry designed to receive an activation signal to initiate the ignition of the chemicals and electronic wake-up circuitry designed to remove the primary circuitry from a standby condition in which the circuitry is in effect turned off and insensitive to the activation signal, to an active condition where the primary electronic circuit is sensitive to the activation signal.

The prior art presents a serious problem. In practice the security packs are kept in drawers next to the bank tellers and are mixed in with the real money given to a robber. The wake up circuitry heretofore has been a mercury type switch that is sensitive to motion, or a reed switch held to an open position by a magnetic plate on which the security pack is kept. In both cases the wake up circuitry is susceptible to inadvertent actuation as a result of slight nudging of the pack in the drawer, or inadvertent removal of the pack from the magnetic receptacle. While most activation systems will return to the standby position after a minute or two unless they subsequently receive an activation signal, such wake-up cycling results in premature discharge of the battery powering the security pack electronics. It is such problems that the art has not recognized and that the present invention solves.

The present invention recognizes that in case where a robber demands money from a Bank teller, the teller can flex the fake currency package while handling it to the robber or placing it in a bag. Such action would not be inadvertent as, for example, the accidental moving of the fake currency package while in the storage drawer, which would initiate a wake up cycle.

Lisowski only recognizes the need for a security pack that more closely resembles an actual money pack, and therefore teaches using a flexible printed circuit for the electronic

circuitry contained in the security pack but that is as far as his teachings go. Lisowski does not recognize the problem of accidental "waking up" of the activation circuit. Therefore, there is nothing either directly or inherently present in Lisowski that would suggest replacing the well established wake up circuit activation reed switch with a flexible switch that is activated not by simple movement but following flexure of the security package.

Williams on the other hand, describes a sensor system for the protection of a safe or ATM. Williams does not teach nor suggest a security pack that includes a wake-up circuit so that the alarm will be switched from a dormant to an active state when the pack is flexed. Williams does cite the use of a piezo-electrical device, but simply to sense movement of equipment, not flexure, particularly intentional flexure of a fake currency pack.

Conclusion.

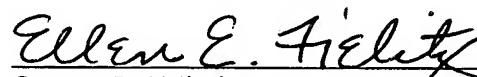
(1) The claims have been amended to more clearly show that the flexure sensor is so positioned as to sense flexure of the security pack rather than movement of the pack.

(2) As the Fed. Cir. said in *In Re Wright* (6 USPQ2d 1959) "It is the invention as a whole that must be considered in obviousness determinations. The invention as a whole embraces the structure, its properties and the problem it solves.". Further more, "Casting an invention as a combination of old elements leads improperly to an analysis of the claimed invention by the parts, not by the whole." (*Custom Accessories Inc. v. Jeffrey-Allan Industries, Inc.* 1 USPQ 2d 1196, Fed Cir. 1986).

When viewed as whole, the present invention clearly claims using the piezo-electric sensor in a new and unique way for a specific application – that of a currency pack used to deter theft. The piezo-electric sensor is used to differentiate between just any movement, and actual flexure of the currency pack. It is intended to replace previous designs (which typically use a mercury type sensor or magnetic reed switch) that only detect that the currency pack has been moved. The new flexure activated design differentiates between physical movements (such as when the currency pack is in a money drawer that is opened/closed), and when the currency pack is actually being picked up and handled (as in a robbery situation).

(3) The suggestion to combine the references must be found in the references not in the invention. There is no suggestion for combining the teachings of Williams with the teachings of Lisowski in a way that places a flexible sensor within a security pack in a position where the sensor will produce an output signal to switch the alarm circuit from a dormant to a wake up condition upon flexure of the security pack. When the most one may say about combining the two references is that one skilled in the art might find it obvious to try various combinations this is not the standard of 35 U.S.C. §103. (In re Fine 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988); In re Geiger 2 U.S.P.Q.2d 1276, 1278 (Fed. Cir. 1987).

Respectfully submitted,



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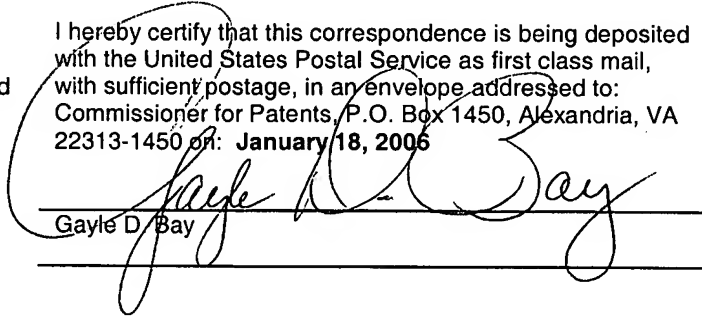
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